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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,197	01/04/2002	John Moore	M4065.0488/P488	2073
24998	7590	01/05/2004	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			DINH, SON T	
2101 L STREET NW			ART UNIT	
WASHINGTON, DC 20037-1526			PAPER NUMBER	

2824

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/035,197

Applicant(s)

MOORE ET AL.

Examiner

son t dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 25-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,11-13,23 and 24 is/are rejected.
- 7) ☒ Claim(s) 2-10 and 14-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s): \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *East search history*.

### DETAILED ACTION

The election filed on 12/2/03 has been entered.

Claims 1-38 are pending in the application.

Claims 25-38 are withdrawn from consideration in view of the election without traverse.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 11-12, 13, 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Tobita (U.S. Patent No 6,377,499).

With respect to claims 1 and 13, figures 1 and 7 of Tobita disclose a memory device comprising an apparatus (the row decoder and column decoder would be inherently included in every memory device) for reading data from a memory cell (1, figure 7), an access circuit (2, 3, figure 7) for coupling the memory cells between an addressed and activated word line (or bit line), a sense amplifier (SA, figure 1), and a preventing circuit (12, figure 7) for preventing the memory cell from being refreshed in response to a read operation. To be more specific, when the read operation is occurred (signal CE in figure is ON), the preventing circuit 12 (or arbitration circuit 12) would

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prevent the circuit 14 to be activated, then the memory cell is prevented from being refreshed.

With respect to claims 11-12 and 23-24, the transistors T3 and T4 (figure 1) are precharge circuit for precharging the addressed and activated bit line and an other bit line coupled to the sense amplifier SA.

### ***Allowable Subject Matter***

Claims 2-10, 14-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: \*\*\*

The prior art of record fail to teach or suggest a refresh circuit comprising an access circuit that includes a transistor and the preventing circuit, which cause the activated word line to be deactivated after a logical state of the memory cell is transferred to the activated bit line (claims 2, 14); a preventing circuit that includes a transistor serially connected between the bit line and the sense amplifier (claims 6, 18); a preventing circuit that causes the word line to be deactivated a predetermined amount of time after the memory cell begins to transfer a logical state to the activated bit line (claims 7, 19).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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-Brady discloses a memory device having a refresh circuit.

-Ferrant discloses a memory device including a refresh circuit.

-Kengeri discloses a memory device including a refresh circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son Dinh whose telephone number is 703-308-4120.

The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on 703-308-2816. The fax phone number for the organization where this application or proceeding is assigned is 703-308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
Son T. Dinh  
Primary Examiner

S. Dinh  
December 15, 2003